

ORDINANCE NO. 1487

AN ORDINANCE TO ENACT SECTION 6.7 OF APPENDIX B,
AND
TO AMEND AND RE-ENACT SECTION 9 OF APPENDIX B,
AND
TO AMEND AND RE-ENACT SECTION 11 OF APPENDIX C,
ALL OF THE CITY CODE OF THE CITY OF JAMESTOWN, NORTH DAKOTA,
PERTAINING TO TRAFFIC IMPACTS STUDY REQUIREMENTS FOR NEW DEVELOPMENT
OR MODIFICATIONS TO EXISTING DEVELOPMENTS IN THE CITY OF JAMESTOWN

WHEREAS, the City of Jamestown has determined it is important to provide for orderly growth and a safe and high functioning transportation system of the City by requiring the development of traffic impact studies.

WHEREAS, establishing requirements for the study of traffic impacts created from new development will help promote the health, safety, and general welfare of the City.

NOW, THEREFORE, be it ordered by the City Council of the City of Jamestown, North Dakota, that Appendix B, be amended by enacting Section 6.7 as follows:

APPENDIX B

SECTION 6.7. Traffic Impact Studies.

A. Purpose and Intent.

The purpose of the Traffic Impact Study is to identify the effect of a development, or group of developments, on the transportation system relating to capacity, level of service, and safety. The primary goal of the traffic impact study is to assess what improvements, if any, are needed to:

- i. Protect the existing investments of the public street and highway system;
- ii. Avoid the creation of an/or mitigate existing undesirable traffic conditions;
- iii. Identify and minimize the impacts of higher intensity land use traffic on lower intensity areas in the community;
- iv. Plan for and maintain adequate capacity of public roadways serving development areas; and
- v. Create a condition which provides for safe traffic operations along roadways and intersections in the vicinity of the development.

B. Applicability.

Traffic impact studies may be required at several stages of the development process. The City Engineer shall be the responsible party for determining if a traffic impact study is needed in accordance with the regulations of this section.

- i. Traffic impact studies may be required under any one of the following circumstances:
 1. A development that could generate at least 1,000 or more trips per day beyond the existing use;
 2. A proposed rezoning or land use plan amendment to a higher intensity use; or
 3. At the discretion of the City Engineer, traffic impact studies will also be required based on one or more of the following:
 - a. The proposed use is of higher intensity than what is shown in the future land use plan;
 - b. Sensitivity of surrounding neighborhoods that may be impacted by the increase of traffic from the development, such as cut through traffic; and
 - c. Other conditions as recognized by the City Engineer.
- ii. Traffic impact studies may be required at any of the following stages of development:
 1. Application for a land use plan amendment
 2. Application for a zone change
 3. Application for a subdivision
 4. Application for a building permit

C. Traffic Impact Study Requirement.

A traffic impact study shall address the following information within the report. The City Engineer shall be the responsible authority to be consulted regarding the scope of the study. The City Engineer has the authority to waive any of the requirements of this section based on professional judgement.

- i. Verify the expected number of trips generated using national or state recognized resources and procedures;
- ii. Trip distribution (evaluate number, location, and spacing of access points);
- iii. Background traffic growth and evaluation of future traffic;
- iv. Crash data analysis of the study intersections;
- v. Discussion and diagrams or maps showing site circulation and site plan, if available;
- vi. Sight distance evaluation at study intersections;
- vii. Capacity analysis at study intersections;
- viii. Study intersection design;
- ix. Traffic signal warrant analysis – with a recommendation of signalization (including timing, phasing, protected/permissive turns, and other signal coordination), roundabout or other traffic control devices;
- x. Evaluate adjacent intersections that may be impacted by the development. The study shall take into consideration any applicable transportation plans in the area; and
- xi. Include a recommendation on the need for right and/or left turn lanes, including length of the proposed turn lanes.
 1. Turn lanes recommended along the ND State Highway System shall utilize the NDDOT's policies and design practices for turn lane warrants and design.

D. Process.

The following process shall be followed when a traffic impact study is required:

- i. The City Engineer shall be consulted prior to the submission of an application of a land use plan amendment, zone change, subdivision or building permit to determine if a traffic impact study is required.
 1. The City shall be responsible for the cost of the traffic impact study, unless a condition exists where cost sharing may occur, as determined by the City Engineer.
 2. The City of Jamestown shall be the contracting agent with the consultant(s) from whom estimates are received, and with the consultant hired to carry out the study.
- ii. When required, a complete traffic impact study must be submitted as part of the application in order for the application to be considered complete. The traffic impact study shall be submitted with the complete application by the established deadlines for the application type.
- iii. The traffic impact study will be reviewed by staff along with the other application materials and referred to during the approval process of the land use plan amendment, zone change, subdivision or building permit.
- iv. Improvements recommended as a result of the traffic impact study will be required by the Planning Commission to be either (a) constructed and in place, or (b) assured of completion by the developer under one of the options outlined in Section 8.B.1 and 2 of Appendix B, prior to approval. Special districts may be developed for financing improvements resulting from a traffic impact study, when determined by the City Engineer.

E. Appeal.

In the case where any difference shall arise between the City Engineer and the Property Owner or Applicant to the determination of the requirement of a traffic impact study, appeal can be made to the City Council, whose decision regarding all matters affecting the same shall be final. An appeal from any such determination by the City Engineer shall be taken by filing notice thereof in writing in the office of the City Auditor within five days of the determination being made. The City Council shall act upon such appeal at its next regular meeting following the filing of such notice of appeal. In the event that an appeal is not taken, the decision of the City Engineer shall be final and conclusive.

NOW, THEREFORE, be it ordered by the City Council of the City of Jamestown, North Dakota, that Appendix B, be amended by amending Section 9 as follows:

APPENDIX B

SECTION 9. Preliminary plat requirements.

A preliminary plat shall be clearly and legibly drawn on tracing paper or tracing cloth of good quality and all prints or copies thereof shall be clear and legible. The size of the tracing shall be fifteen by twenty inches. It shall be of such scale, two hundred feet to the inch or larger, as to show clearly all details thereof. A preliminary plat, together with such accompanying sheets of data and other materials as are needed for the purpose, shall show the following:

- (1) through (17) (Same as parent volume.)
- (18) Complete traffic impact study, if required, according to Section 6.7 of Appendix B.

Such of these as may not practically be shown on the plat shall be shown on separate sheets or contained in a written statement, accompanying the plat.

NOW, THEREFORE, be it ordered by the City Council of the City of Jamestown, North Dakota, that Appendix C, be amended by amending Section 11 as follows:

APPENDIX C

SECTION 11. Amendments.

The City Council may amend this ordinance from time to time by supplementing, changing, modifying, or repealing any of the regulations, restrictions or other provisions hereof, or the district map, the districts on said map or the boundaries of such districts. Amendments to the district map or boundaries of such districts shall be subject to the requirements of Section 6.7 of Appendix B. A proposed amendment may be initiated by the council upon its own motion or upon receipt of a petition therefor, from the zoning commission or the city planning commission, or upon receipt of a petition therefor, from any interested persons or person or their agents.

- (A) through (C) (Same as parent volume.)

The amendment shall not become effective except by favorable vote of three-fourths of all the member of the city council.

ATTEST:

APPROVED:

Jeff Fuchs
City Administrator

Katie Andersen
Mayor

Introduced by Council Member Buchanan
Seconded by Council Member Phillips
First Reading: November 7, 2016
Second Reading: December 5, 2016
Final Passage: December 5, 2016
Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent.